



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

In re Application of :

HIDENORI OHKI et al.

Serial No. : 08/809,723

Art Unit : 1811

Filed : May 21, 1997

Examiner : MARSHALL, S

For : CYCLIC HEXAPEPTIDES HAVING ANTIBIOTIC ACTIVITY

#8  
5098  
42-98

DECLARATION

I, HIDENORI OHKI, a citizen of Japan residing at No. 4-4-13-107, Nakasuji, Takarazuka-shi, HYOGO, JAPAN, declare and say that :

I graduated from Hiroshima University, Faculty of Science, in March 1986;

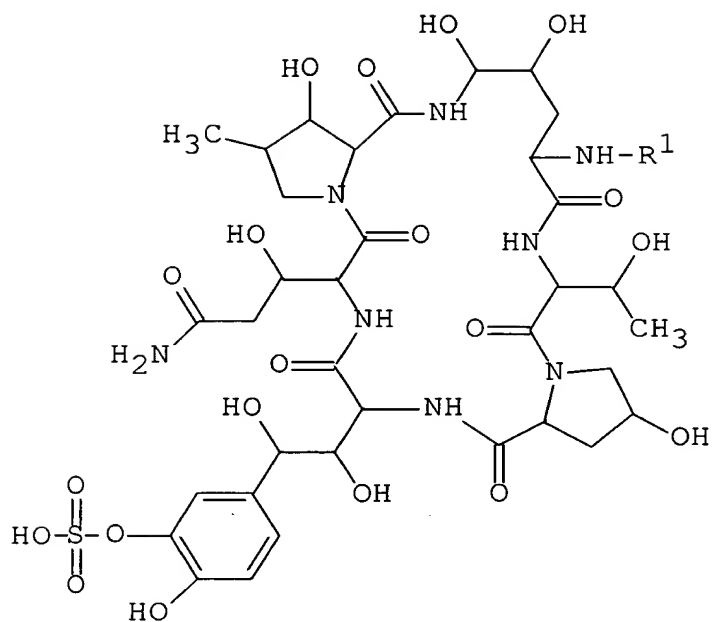
I pursued the postgraduate course of Chemistry and received the degree of Master of Science from said University, in 1988;

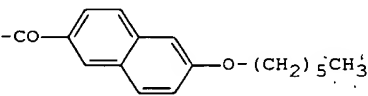
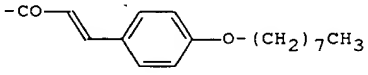
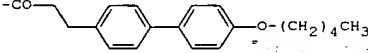
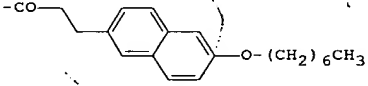
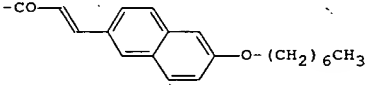
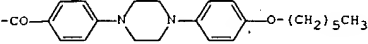
Since April 1988, I have been, as an organic chemist, in the continuous employ of Fujisawa Pharmaceutical Co., Ltd., OSAKA, JAPAN and am now a Senior Research Chemist of the Medicinal Chemistry Research Laboratories;

I am a member of the American Chemical Society, the Chemical Society of Japan, the Society of Synthetic Organic Chemistry, Japan and the Pharmaceutical Society of Japan;

I am a co-inventor of the above-identified U.S. patent application.

I synthesized the compounds 1 to 4 of the above-identified U.S. patent application and the compounds A and B of USP 5,376,634, namely:



| Compound No. | Compound                       | $\text{R}^1$  |
|--------------|--------------------------------|---|
| A            | Example 35 of<br>USP 5,376,634 | $\text{-CO-}$  $\text{-O-(CH}_2)_5\text{CH}_3$ |
| B            | Example 45 of<br>USP 5,376,634 | $\text{-CO-}$  $\text{-O-(CH}_2)_7\text{CH}_3$ |
| 1            | Example 16                     | $\text{-CO-}$  $\text{-O-(CH}_2)_4\text{CH}_3$ |
| 2            | Example 20                     | $\text{-CO-}$  $\text{-O-(CH}_2)_6\text{CH}_3$ |
| 3            | Example 21                     | $\text{-CO-}$  $\text{-O-(CH}_2)_6\text{CH}_3$ |
| 4            | Example 23                     | $\text{-CO-}$  $\text{-O-(CH}_2)_5\text{CH}_3$ |

It is declared by the undersigned that all statements made herein of undersigned's own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Hidenori Ohki  
Hidenori Ohki

This 23 th day of January, 1998  
OSAKA, JAPAN

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For : CYCLIC HEXAPEPTIDES HAVING ANTIBIOTIC ACTIVITY

DECLARATION

I, FUMIAKI IKEDA, a citizen of Japan residing at No. 5-1-11, Kisaichi, Katano-shi, OSAKA, JAPAN, declare and say that :

I graduated from Osaka University, Faculty of Pharmacy, in March 1979;

I received the degree of Doctor of Pharmacy from Toho University, in 1987;

Since April 1979 , I have been, as a microbiologist, in the continuous employ of Fujisawa Pharmaceutical Co., Ltd., OSAKA, JAPAN and am now a Senior Research Manager of Medical Biology Research Laboratories;

I received from Mr. Hidenori Ohki the Test compounds 1 to 4, A and B, and I have conducted the anti-microbial tests.

## **Test** (Anti-microbial activity) :

### **Test Method**

The antifungal susceptibility assays were performed by the microdilution method according to M27-A guidelines recommended by the National Committee for Clinical Laboratory Standards (NCCLS) to determine the MICs of the compounds.

RPMI 1640 medium with L-glutamine, without sodium bicarbonate, and buffered with 165mM.morpholinepropanesulfonic acid buffer (pH 7.0) was used as a test medium. Inoculum suspension of  $10^6$  CFU/ml were prepared by a hemocytometric procedure, and diluted to obtain an inoculum size of approximately  $0.5 \times 10^3$  to  $2.5 \times 10^3$  CFU/ml. Microplates were incubated at 35°C and readings were taken when good growth in the growth control. The MICs were defined as the lowest concentrations at which no visible growth was observed.

**Test Organism** : *C. albicans* FP 633

### **Test Result**

| Compound No. | MIC (µg/ml) |
|--------------|-------------|
| A            | 0.25        |
| B            | 0.125       |
| 1            | 0.0625      |
| 2            | 0.0625      |
| 3            | 0.0625      |
| 4            | 0.0156      |

It is declared by the undersigned that all statements made herein of undersigned's own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Fumiaki Ikeda  
Fumiaki Ikeda

This 23<sup>th</sup> day of January, 1998  
OSAKA, JAPAN